Reg. No. KL 107

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XVI] Trivandrum, Saturday 9th October 1971 / 17th Asvina 1893 [No. 450

GOVERNMENT OF KERALA

Law Department

NOTIFICATION

No. 12836/FI/71/Law. *Dated, Trivandrum, 9th October 1971/ 17th Asvina, 1893.*

The following Ordinance promulgated by the Governor on the 6th day of October, 1971 is hereby published for general information.

By order of the Governor,

P. V. Ramachandran,
Additional Law Secretary.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1971.

ORDINANCE No. 19 OF 1971

THE KERALA CO-OPERATIVE SOCIETIES (AMENDMENT) ORDINANCE, 1971

Promulgated by the Governor of Kerala in the Twenty-second Year of the Republic of India.

AN

ORDINANCE

to amend the Kerala Co-operative Societies Act, 1969.

Preamble.—WHEREAS the Legislative Assembly of the State of Kerala is not in session and the Governor of Kerala is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred under clause (1) of Article 213 of the Constitution of India, the Governor of Kerala is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the Kerala Co-operative Societies (Amendment) Ordinance, 1971.

(2) It shall come into force atonce.

2. *Act 21 of 1969 to be temporarily amended.*—During the period of operation of this Ordinance, the Kerala Co-operative Societies Act, 1969 (21 of 1969) hereinafter referred to as the principal Act), shall have effect subject to the amendments specified in this Ordinance.

3. *Amendment of section 33.*—In section 33 of the principal Act, in sub-section (1),—

(i) for the words "where the Registrar is satisfied", the words "where a no confidence motion is passed by the general body against the existing committee or where the existing committee resigns *en bloc* or where vacancies occur in the committee either by resignation or otherwise and the number of remaining members cannot constitute the quorum for the meeting of the committee, or where the committee fails to hold its regular meeting consecutively for six months or where the Registrar is satisfied" shall be substituted;

(ii) in clause (b), for the word "consulting", the word "intimating" shall be substituted;

(iii) after the second proviso, the following shall be inserted, namely:—

"*Explanation.*—For the purposes of this sub-section, a tender of resignation by a member of the committee shall have the effect of terminating his membership from the committee."

4. *Amendment of section 72.*—In section 72 of the principal Act, in sub-section (3), for the figures "82", the figures "83" shall be substituted.

5. *Substitution of new sections for section 81.*—For section 81 of the principal Act, the following sections shall be substituted, namely:—

"81. *Tribunal.*—(1) The Government shall constitute a single member Tribunal to exercise the powers and discharge the functions conferred on the Tribunal under this Ordinance.

(2) A person shall not be qualified for appointment as a member of the Tribunal unless he is or has been holding the post of a District Judge in the State.

(3) The term, salary and allowances and other conditions for service of the member shall be such as may be decided by Government from time to time.

(4) The Government shall make rules for regulating the procedure and disposal of the business of the Tribunal.

81A. *Provisions as to certain pending Proceedings.*—Every proceeding pending before the Tribunal immediately before the commencement of this Ordinance shall stand transferred to and will be decided by the Tribunal constituted under this Ordinance:

Provided that all such proceedings relating to orders passed by the Registrar under sections 32 and 33 of the Act, shall be sent to the Government for their decision.

Explanation.—'proceeding' includes any appeal, revision petition or application for review."

6. *Amendment of section 82.*—In section 82 of the principal Act, in sub-section (1), clauses (b) and (c) shall be omitted.

7. *Amendment of section 89.*—In section 89 of the principal Act, in sub-section (4), in clause (a), for the words "nine members, one from each Revenue District in the State", the words "one member from each Revenue District in the State" shall be substituted.

V. VISWANATHAN,

GOVERNOR.

Government of Kerala
1971

Reg. No. K. 10

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GOVERNMENT OF KERALA

Home (SS) Department

NOTIFICATION

G. O. Rt. No. 1468/71/Home. *Dated, Trivandrum, 9th October 1971.*

Whereas the Government of Kerala are of the opinion that it is necessary to appoint a Commission of Inquiry for the purpose of making an enquiry into a definite matter of public importance;

Now, therefore, in exercise of the powers conferred by Section 3 of the Commissions of Inquiry Act 1952 (Central Act 60 of 1952), the Government of Kerala hereby appoint a Commission of Inquiry consisting of Shri P. K. Lakshmanan, Retired District & Sessions Judge, to enquire into and report on the matters relating to the motor vehicle accident that occurred on the Main Road (Near Ayurveda College), Trivandrum on the 8th October 1971 involving Bus No. T. 928 belonging to the Kerala State Road Transport Corporation, and in particular—

(1) To find out the true facts relating to the accident and the reasons that contributed to the accident; and

(2) To find out whether force was used by the police after the incident referred to above and if so, whether if was justified.

2. The report should be submitted within two months.

By order of the Governor,

S. Narayanaswamy,

Secretary to Government.

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